

## Presumptive Medical Preliminary Report Follow-Up

LEOFF Plan 2 Retirement Board

July 28, 2010

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### Issue

Law enforcement officers in LEOFF Plan 2 do not have any occupational illness & injury presumptions

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### Overview

- Presumption Laws
  - Washington State
  - Federal
  - Other States
- Research Update

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## Presumption in Washington State

- No Law enforcement presumption
- Fire Fighter Presumption
  - Certain Cancers
  - Diseases (Respiratory /Infectious)
  - Heart Problems
    - Within seventy-two hours of exposure to smoke, fumes, or toxic substances
    - Within twenty-four hours of strenuous physical exertion due to firefighting activities

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## Presumption at Federal Level

- Public Safety Officers' Benefit (PSOB)
  - "died as the direct and proximate result of a personal injury sustained in the line of duty"
- 2003 Hometown Heroes Act
  - Presumption for fatal heart attack and stroke

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## 2003 Hometown Heroes Act

- Presumption for fatal heart attack or stroke
  - Within 24 hours after duty
  - Non-routine stressful activity
  - Strenuous physical activity
  - Physical Training Exercise
  - Excludes activities of a clerical, administrative, or non-manual nature
- Rebuttable by preponderance of evidence

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## 2003 Hometown Heroes Act

- Non-routine stressful activity
  - Not performed as a matter of routine
  - Entails non-negligible physical exertion
  - Poses significant threat or hazards
  - Training that simulates threats or hazards
  - Provokes high level of alarm, fear, or anxiety
  - Responding to an emergency call shall presumptively be treated as non-routine

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## 2003 Hometown Heroes Act

- Strenuous physical activity
  - Not performed as a matter of routine
  - Entails unusually high level of physical exertion
  - Poses significant threat or hazards
  - Training that simulates threats or hazards
  - Provokes unusually high level of alarm, fear, or anxiety
  - Formal Physical Training Exercise

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## Presumption in Other States

### Law Enforcement

64% of states have a presumption

44% of states have a heart attack presumption

Presumption	32
Heart	22
Hepatitis	12
Lung	11
Other Disease	9
Hypertension	8
Tuberculosis	7
HIV	7
Cancer	5
Meningitis	4
Stroke	3

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## Published Research Update

- One recent study completed
  - Buffalo Cardio-Metabolic Occupational Police Stress (or BCOPS)
- Recognizes stresses and demand for extreme exertion
- Increased risk of serious health problems such as cardiovascular disease and diabetes
- Higher 10yr risk of coronary event over national average
- Not conclusive to occupational cause

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## Presumptive Medical

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Questions?

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